

[Cite as *State ex rel. Janosek v. Cuyahoga Support Enforcement Agency*, 123 Ohio St.3d 126, 2009-Ohio-4692.]

THE STATE EX REL. JANOSEK ET AL., APPELLANTS, v.

CUYAHOGA SUPPORT ENFORCEMENT AGENCY, APPELLEE.

[Cite as *State ex rel. Janosek v. Cuyahoga Support Enforcement Agency*,
123 Ohio St.3d 126, 2009-Ohio-4692.]

Prohibition — Agency action that is not judicial or quasi-judicial in nature is not subject to prohibition — Adequate remedy in the ordinary course of law — Writ denied.

(No. 2009-0705 — Submitted September 2, 2009 — Decided September 16, 2009.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 92387,
2009-Ohio-1098.

Per Curiam.

{¶ 1} We affirm the judgment of the court of appeals denying a writ of prohibition to prevent appellee, Cuyahoga Support Enforcement Agency, from ordering the payment of spousal support and the withholding of money allegedly not owed by appellants, James Janosek and Welded Ring Products Company. Because no statute or other pertinent law *required* the agency to conduct a hearing resembling a judicial trial when it issued its notice to withhold income for spousal support, the agency did not exercise the judicial or quasi-judicial authority required for appellants to be entitled to the requested extraordinary relief in prohibition. See *State ex rel. Wright v. Cuyahoga Cty. Bd. of Elections*, 120 Ohio St.3d 92, 2008-Ohio-5553, 896 N.E.2d 706, ¶ 8. The authorities cited by appellants refer only to discretionary authority to hold hearings. See, e.g., R.C. 5101.37. Insofar as appellants claim that the agency is acting contrary to a trial court order, they have an adequate remedy in the ordinary course of law by way

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of a motion for contempt in the trial court case. See *State ex rel. Weaver v. Ohio Adult Parole Auth.*, 116 Ohio St.3d 340, 2007-Ohio-6435, 879 N.E.2d 191, ¶ 6.

Judgment affirmed.

MOYER, C.J., and PFEIFER, LUNDBERG STRATTON, O'CONNOR, O'DONNELL, LANZINGER, and CUPP, JJ., concur.

Zukerman, Daiker & Lear Co., L.P.A., Larry W. Zukerman, and S. Michael Lear, for appellants.

William D. Mason, Cuyahoga County Prosecuting Attorney, and Frederick W. Whatley, Assistant Prosecuting Attorney, for appellee.
